BILL NO. Z-86-04-21

ZONING MAP ORDINANCE NO. Z-05-86

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 (Multi-Family Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot Numbered 49 except the West one half in Maysville Heights Addition to the City of Fort Wayne,

and the symbols of the City of Fort Wayne Zoning Map No. R-14, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Councilmember

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eistock seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E

DATE: 4-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eistock seconded by Henry, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BRADBURY	✓				
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT	✓				
STIER	✓				
TALARICO	✓				

DATE: 5-27-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE ~~(RESOLUTION)~~ NO. 3-05-86 on the 27th day of May, 19 86,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 19 86 at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29 day of May 19 86, at the hour of 3:30 o'clock P.M.,E.S.T.

Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED 3-7-86

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Charles R. GLENN
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R1 District to a/an R3 District the property described as follows:

See attached

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

3621 LAKE AVE.
FT. WAYNE, IND. 46805
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Charles R. GLENN	7009 N. River Rd.	Ft. Wayne, Ind. 46815
Charles R Glenn		

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Tom FERTS	Lincoln Bank Tower 14th Floor 46802	426-1300

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

OFFICE OF:

Wm. C. BAER REGISTERED PROFESSIONAL ENGINEER and LAND SURVEYOR

1128 Straford Road – New Haven, Indiana 46774

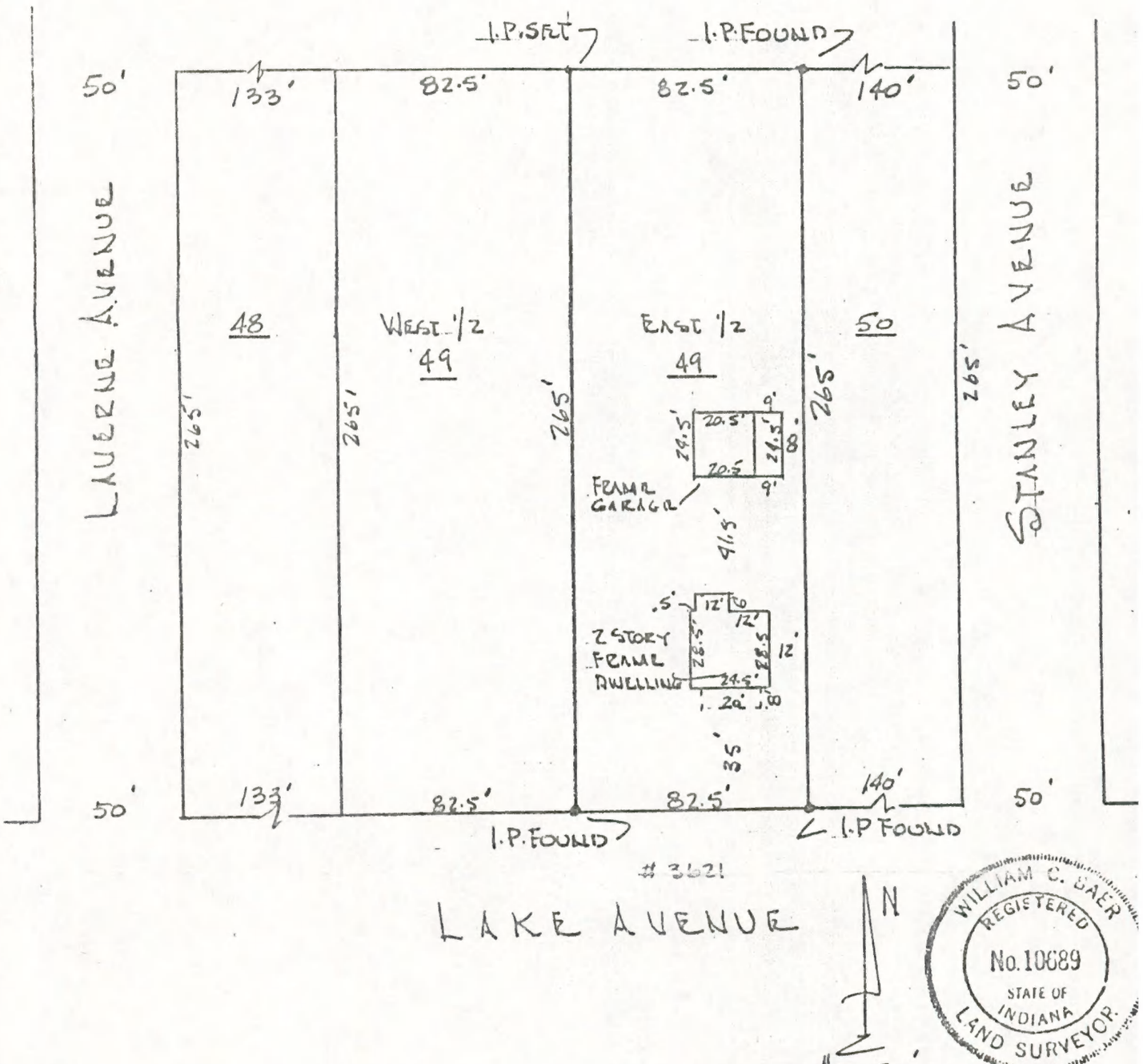
Telephone 219 – 749-9861

Certificate of Survey

The undersigned Engineer, Registered as provided by an Act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of Lot numbered 49 except the West one half in Maysville Heights Addition to the City of Fort Wayne, Indiana: also known as 3621 Lake Avenue.

This tract does not lie with-in a flood hazard area.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen *County, Indiana. No encroachments or overhang existed, except as noted hereon, and the dimensions and lines of the property are indicated on the following plat.*



WILLIAM C. BAER REGISTERED No. 10689 STATE OF INDIANA LAND SURVEYOR

Surveyed 9-14-85

For Knarr Realty

Survey No. 4785

The above Survey, Plat and Certificate are hereby certified correct:

Wm. C. Baer

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 571

FT. WAYNE, IND., MARCH 7 19 64

RECEIVED FROM DR CHARLES R GLENN $ 50.00

THE SUM OF Fifty and 00/100 DOLLARS

ON ACCOUNT OF ~~[illegible]~~ 3621 LAKE AVE

REZONING FROM R-1 TO R-3

Rick Yunker

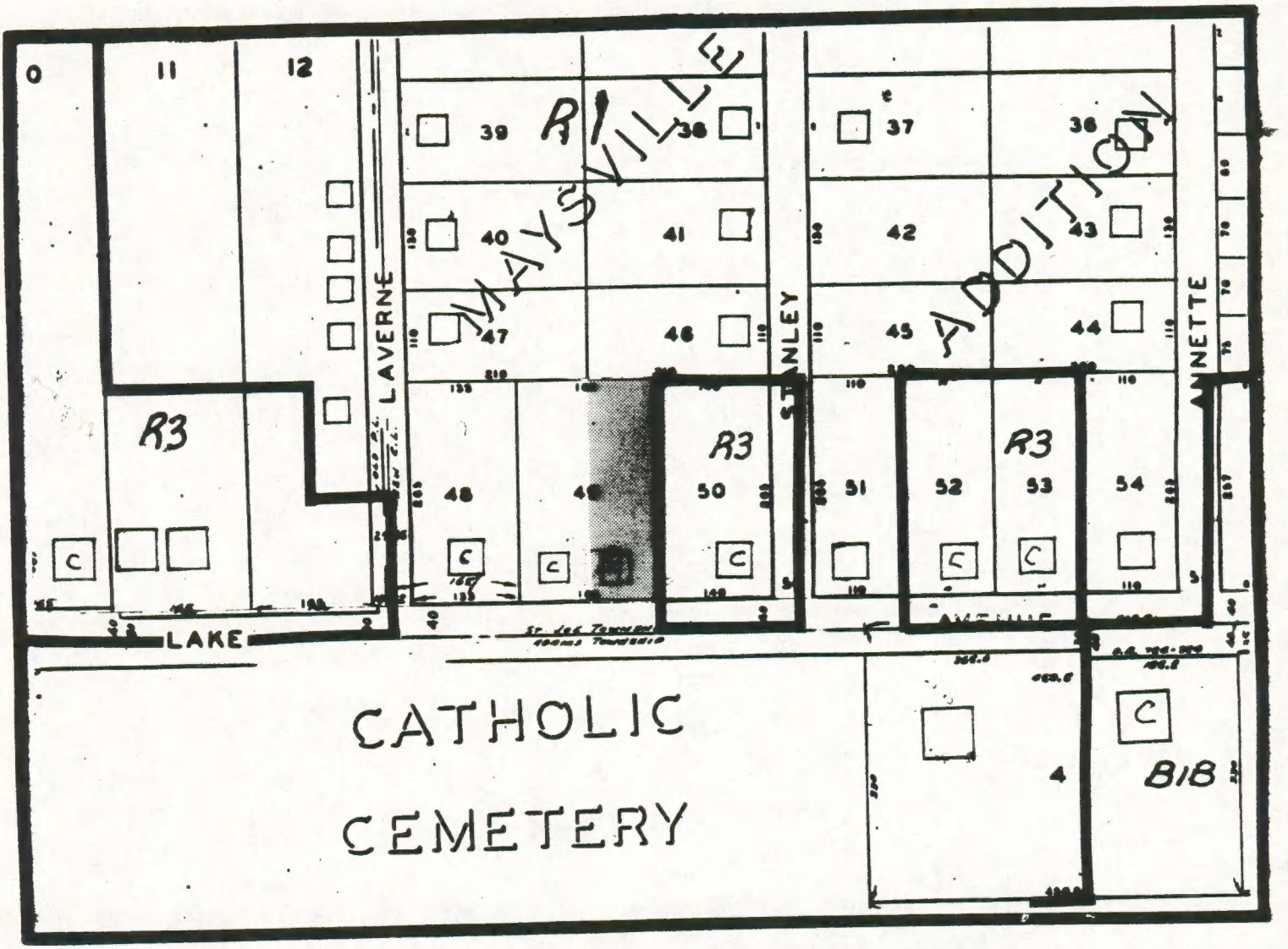
AUTHORIZED SIGNATURE

REZONING PETITION #181

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R1 DISTRICT TO AN R-3 DISTRICT.

MAP NO. R-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

- R1 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- B1B LIMITED BUSINESS 'B'

LAND USE:

- □ SINGLE FAMILY
- C COMMERCIAL

N

SCALE: 1"=200'

DATE: 4-7-86

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 22, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-04-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1986;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1986.

Certified and signed this
30th day of April 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-86-04-21
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		

DETAILS

Specific Location and/or Address

3621 Lake Avenue

Reason for Project

To establish a chiropratic office (with BZA approval).

Discussion (Including relationship to other Council actions)

21 April 1986 - Public Hearing

George Martin disqualified himself.

Tom Felts, attorney for the petitioner stated that Dr. Glenn wished to open a chiropratic office in the structure presently on the property. He stated that the petitioner intends to renovate the present structure and has retained Grinsfelder and Associates to do the architectural work. He stated that this area has been changing from residential to professional and this property would not be out of place as a doctor's office. He stated that the change of use would be more in line with the present character of the area.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Charles Glenn City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

28 April 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of approval - one did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 7 March 1986

Projected Completion or Occupancy **Date** 30 April 1986

Fact Sheet Prepared by **Date** 30 April 1986

Patricia Biancaniello

Reviewed by **Date** 30 April 1986

Gary Brutto 30 April 1986

Reference or Case Number

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT NO. ____ DIGEST SHEET ORIGINAL

3-86-04-21

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 3621 Lake Avenue

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.
Property will become R-3 - Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-86-04-21

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. R-14

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

YES		NO
	BEN A. EISBART CHAIRMAN	
	JANET G. BRADBURY VICE CHAIRWOMAN	
	DONALD J. SCHMIDT	
	THOMAS C. HENRY	
	CHARLES B. REDD	

CONCURRED IN 5-27-86

SANDRA E. KENNEDY
CITY CLERK